

**Amendment No. 9 to HB2637**

**Fitzhugh  
Signature of Sponsor**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 2639\***

**House Bill No. 2637**

By deleting the amendatory language of Section 7 of the bill as amended by House Amendment 8 [HA 1602] and by substituting instead the following:

(9) The closing of any hospital that has been designated as a critical access hospital under the Medicare rural flexibility program or the elimination in such hospital of any services for which a certificate of need is required.

AND FURTHER AMEND by deleting the following language from the bill as amended and by House Amendment 8 [HA 1602] appropriately redesignating subsequent sections:

SECTION 8. Tennessee Code Annotated, Title 68, Chapter 11, Part 16, is amended by adding the following as a new section:

68-11-16\_\_.

(a) If two (2) or more healthcare systems that own and operate hospitals in Tennessee merge and the merger results in a new entity which controls at least twenty-five percent (25%) of market share, then:

(1) The new entity may relocate services and beds to any facility owned by the entity as a result of the merger that is located within the same county without any prior approval under this part from the health services and development agency as long as the relocations:

- (A) Occur within twelve (12) months of the merger; and
- (B) Do not result in a net increase in the number of licensed beds.

(2) The new entity shall notify the health services development agency of the relocations no later than forty-five (45) days following their occurrence.

(b) This section shall not be construed to include any joint ventures that the new entity might enter into with physicians or other parties.

(c) This section shall be repealed on June 30, 2009.